

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

MYRA BROWN and ALEXANDER
TAYLOR,

Plaintiffs,

v.

U.S. DEPARTMENT OF EDUCATION and
MIGUEL CARDONA, in his official capacity as
Secretary of Education,

Defendants.

Civil Action No. 4:22-cv-00908-P

DEFENDANTS' MOTION TO STAY JUDGMENT PENDING APPEAL

Defendants respectfully move for a stay of this Court's November 10, 2022 Order (ECF No. 37) and Final Judgment (ECF No. 38) pending the disposition of Defendants' appeal. *See Brown v. U.S. Dep't of Education*, No. 22-11115 (5th Cir.). The reasons for this motion are set forth in Defendants' Brief in Support of Their Motion to Stay Judgment Pending Appeal, which is being filed concurrently with this motion. As explained in that brief, Defendants respectfully request that the Court rule on this motion no later than November 17, 2022, at 12:00 PM Central Time. If the Court does not grant relief by that time, Defendants will seek relief from the United States Court of Appeals for the Fifth Circuit. A proposed order is attached.

Dated: November 15, 2022

Respectfully submitted,

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BRIAN D. NETTER
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MARCIA BERMAN
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/s/ *Cody T. Knapp*
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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on November 15, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically serve a copy to all counsel of record.

/s/ Cody T. Knapp
CODY T. KNAPP

CERTIFICATE OF CONFERENCE

Before filing this motion, on November 15, 2022, counsel for Defendants conferred with counsel for Plaintiffs, who reported that Plaintiffs oppose the motion on the ground that “Defendants cannot satisfy the requirements for a motion to stay the judgment pending appeal.” For all the reasons given in Defendants’ Brief in Support of Motion to Stay Judgment Pending Appeal, Defendants disagree.

/s/ Cody T. Knapp
CODY T. KNAPP